

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBDARIUS WILLIAMS,

Defendant.

CAUSE NO. 1:22-cr-00063-JMS-MG

MOTION FOR PRELIMINARY ORDER OF FORFEITURE

The United States of America, by and through Zachary A. Myers, United States Attorney for the Southern District of Indiana, and Jeremy C. Fugate, Assistant United States Attorney, respectfully moves for a Preliminary Order of Forfeiture, and in support thereof states as follows:

1. On May 14, 2024, the Defendant was convicted by jury of:
 - Interference with Commerce by Robbery, in violation of 18 U.S.C. §§ 1951(a) & 2; and
 - Brandishing of a Firearm In Furtherance of a Crime of Violence, in violation of 18 U.S.C. §§ 924(c)(1)(A)(ii) & 2. [Filing No. 140.]
2. At trial, the United States introduced evidence that the following property was involved in the commission of the offenses of conviction:
 - One rifle Mossberg 715T, SN: EMC3686376
 - All ammunition recovered with the firearms (Collectively, Asset Identification Numbers: 22-FBI-003772)
 (“Subject Property”).

The United States therefore respectfully requests that the Court find the Subject Property is subject to forfeiture pursuant to 18 U.S.C. § 924(d) and enter an order under Federal Rule of Criminal Procedure 32.2(b)(2) forfeiting the Defendant's rights to the Subject Property.

3. Further, pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), and 21 U.S.C. § 853(g), as incorporated by 28 U.S.C. § 2461(c), the United States requests the Court order that the United States is authorized to seize the Subject Property and dispose of it in accordance with the law.

4. Upon issuance of the Preliminary Order of Forfeiture, the United States, pursuant to Federal Rule of Criminal Procedure 32.2(b)(6) and 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 2253(b), will post notice of the Court's Order and the United States' intent to dispose of the Subject Property described above, and will provide notice directly to any third parties known to have alleged an interest in the Subject Property.

WHEREFORE, the United States respectfully requests that the Court find the Subject Property as subject to forfeiture, enter a Preliminary Order of Forfeiture forfeiting the Defendant's interest in the Subject Property, and order the United States to seize the Subject Property and dispose of it in accordance with the law.

Respectfully Submitted,

ZACHARY A. MYERS
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2024, a copy of the foregoing Motion for Preliminary Order of Forfeiture was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

/s/ Jeremy C. Fugate

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